

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 4251 OF 2004
IN
FIRST APPEAL NO. 991 OF 1988

The State of Maharashtra. .. Appellant.

vs.

Chhandrakant Walvekar

deceased

Shankar Balaji Walvekar

through legal heirs. .. Respondents.

Ms. G.P.Mulekar, AGP., for Applicant.

Mr. V.B. Naik for respondents.

Mr. Arvind Walvekar - legal heir of the
deceased respondent.

..

CORAM: J.N. PATEL &

A.A. SAYED, JJ.

DATE: 8TH OCTOBER, 2007.

P.C.

. Heard.

2. For the reasons stated in the application,

2

delay is condoned. Abatement is set aside. The applicant/appellant is permitted to bring the LRs on record. Necessary amendment to be carried out within two weeks. Mr. Naik, the learned counsel appearing for deceased respondent no. 5 has given consent for the proposed LRs to engage another Advocate. It will be proper that the appellant State serves the proposed LRs afresh on merits.

3. Mr. Arvind Walwekar appears in Court and states that he has discharged Mr. Naik as his counsel and wants time to engage another counsel. We have already granted time to the applicants to take steps in respect of the other respondents who are not served or are reported to be dead. In so far as Mr. Naik is concerned, he stands discharged as counsel for the respondents.

4. The civil application stands disposed of. No order as to costs.

(J.N. Patel, J.)

(A.A. Sayed, J.)